

**REMARKS**

Claims 1, 2, 5, 8 and 26 have been amended. No new matter has been introduced. Claims 1-29 remain pending in this application. Applicant reserves the right to pursue the original and other claims in this and other applications.

Claims 1, 5, 8, 10-13, 15-18 and 26-28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hartmaier et al. (U.S. Patent No. 5, 978,672) ("Hartmaier"). The rejection is respectfully traversed and reconsideration is respectfully requested.

Claim 1 recites a telecommunication device comprising "a telephony interface . . . for receiving a telephone call and identifying a dialed telephone number associated with the call. Claim 1 further recites the "telephony interface using the dialed telephone number to retrieve at least a wireless telephone number and at least one user preference from a storage medium, and said telephony interface using said at least one retrieved user preference to route the call to at least one destination telephone number." Additionally, claim 1 recites the "telephony interface routes the call to two destination telephone numbers substantially simultaneously." Applicant respectfully submits that Hartmaier fails to disclose such limitations.

Hartmaier fails to disclose "[a] telephony interface [that] routes [a] call to two destination telephone numbers substantially simultaneously." The Hartmaier system does not have the ability to ring two or more devices simultaneously. Hartmaier's Table 2 does not describe or illustrate routing "the call to two destination telephone numbers substantially simultaneously" as is recited in claim 1. In fact, there is no mention of any simultaneous call routing anywhere in Hartmaier. Hartmaier states "[t]he preferred embodiment allows the individual user the ability to specify either the mobile phone or the office phone as primary." (column 15) (emphasis added). Table 2 reflects a column for the "prime" number, one for the "Call to be completed to" and one

for “No answer routing.” At no point are there two phone numbers listed in the “Call to be completed to” or “No answer routing” columns. As such, Hartmaier does not disclose substantially simultaneous call routing.

Furthermore, there are technical reasons why Hartmaier cannot disclose, teach or suggest substantially simultaneous call routing. All of the switching capability of Hartmaier is based on the capability of the PBX. A PBX, like the one disclosed in Hartmaier, typically cannot ring a local device (handset) and a trunk line (connection to a cell phone, etc.) at the same time. Based on those technical reasons, Hartmaier’s system uses intelligent signaling to allow unanswered calls to be treated differently. Consequently, the Hartmaier system is only capable of sequential call processing. Hartmaier’s system proceeds to call a different device only if the previous is not answered.

For at least these reasons, Hartmaier does not disclose “[a] telephony interface [that] routes [a] call to two destination telephone numbers substantially simultaneously.” Therefore, Hartmaier does not disclose all limitations of the claimed invention.

Claims 5, 8, 10-13, 15-18 depend from claim 1 and are allowable along with claim 1 for at least the reasons set forth above and on their own merits. Claim 26 recites similar limitations as claim 1 and is allowable for at least the reasons set forth above and on their own merits.

Claim 27 recites a method of providing telecommunications between users of first and second enterprise telecommunication networks, the method comprising the step of “routing a telephone call made from a first user of the first enterprise network to the wireless connect unit connected to the second enterprise network, the telephone call

being for an extension of the second enterprise network.” Claim 28 recites a method of providing telecommunications to a user of an enterprise telecommunication network, the method comprising the step of “routing a telephone call made to [an] extension to the wireless connect unit.” Hartmaier does not disclose, teach or suggest such limitations. Hartmaier cannot route to extensions based on user preferences.

Accordingly, Applicant respectfully requests that the rejection be withdrawn and the claims allowed.

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over, Hartmaier in view of Kugell et al. (U.S. Patent No. 5,802,160) (“Kugell”). The rejection is respectfully traversed and reconsideration is respectfully requested.

Applicant respectfully submits that it is improper to combine the references in the manner suggested by the Office Action. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found in the references themselves. In re Fine, 837 F.2d 1071, 5 USPQ.2d 1596 (Fed. Cir. 1988). There is no suggestion or motivation in any of the references for combining them to arrive at the claimed invention. In fact, Hartmaier and Kugell are two entirely different systems. The Office Action is using impermissible hindsight by using the claims of the present invention as a road map to improperly combine the references. See Ex part Clapp, 227 U.S.P.Q. 972, 973 (Bd. App. 1985); M.P.E.P. §2144.

Hartmaier relates to providing a programming interface between applications executing on a private data network and applications executing in a WIN. Kugell relates to a method and system of providing a telephone service comprising associating a list of telephone numbers with a representative telephone number. It

would not have been obvious to one of ordinary skill in the art to combine the teachings of the cited prior art to achieve a system for selectively establishing communication with one or more of a plurality of wireless devices serving as a virtual office telephone. Moreover, it would not have been obvious to one of ordinary skill in the art to achieve “[a] telephony interface [that] routes [a] call to two destination telephone numbers substantially simultaneously,” as recited in claim 1 of which claim 2 depends. Nor would it have been obvious to one of ordinary skill in the art to achieve “a first destination telephone number [that] corresponds to said retrieved wireless telephone number and a second destination telephone number [that] corresponds to a retrieved second telephone number,” as recited in claim 2. No such teaching, suggestion, or motivation is found in the cited references.

Accordingly, Applicant respectfully requests that the rejection be withdrawn and the claim allowed.

Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over, Hartmaier in view of Kugell, and in further view of Chow et al. (U.S. Patent No. 6,711,401) (“Chow”). The rejection is respectfully traversed and reconsideration is respectfully requested.

Claims 3 and 4 depend from claim 1. As such, they each recite a “telephony interface routes the call to two destination telephone numbers substantially simultaneously.” As set forth above, this feature cannot be disclosed by Hartmaier. Applicant respectfully submits that Kugell, nor Chow, which has been cited merely for teaching routing a call to a voice mailbox after a predetermined time, does not teach or suggest the claimed invention. Moreover, for at least the reasons set forth above, it would not have been obvious to one of ordinary skill in the art at the time the invention

was made to combine or modify the cited references to achieve the claimed invention. Thus, claims 3 and 4 are allowable over the cited combination.

Accordingly, Applicant respectfully requests that the rejection be withdrawn and the claim allowed.

Claims 6, 7, 14 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over, Hartmaier in view of Chow. The rejection is respectfully traversed and reconsideration is respectfully requested.

Claims 6, 7 and 14 depend from claim 1 and is allowable along with claim 1 because neither Hartmaier or Chow discloses, teaches or suggests a “telephony interface routes the call to two destination telephone numbers substantially simultaneously.” Claim 24 depends from claim 19. Claim 19 recites generating a “simulated dial tone.” The cited combination fails to teach or suggest generating a simulated dial tone. Moreover, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine or modify the cited references to achieve the claimed invention. Applicant respectfully submits that the rejection should be withdrawn and the claims allowed.

Claim 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Cox et al. (U.S. Publication No. 2002-0013141) (“Cox”). The rejection is respectfully traversed and reconsideration is respectfully requested.

Claim 9 depends from claim 1. As such, they each recite a “telephony interface routes the call to two destination telephone numbers substantially simultaneously.” As set forth above, this feature cannot be disclosed by Hartmaier. Applicant respectfully submits that Cox, which has been cited by the Office Action for teaching that the telephony interface prompts a caller of the telephone call with a menu

of call destination options and the telephony interface places the call to at least one destination telephone number in accordance with an option selected by the call, does not teach or suggest the claimed invention. Accordingly, claim 9 is allowable over the cited combination. Moreover, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine or modify the cited references to achieve the claimed invention.

Claims 19, 20, 22, 23, 25 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Karpus et al. (U.S. Patent No. 5,884,191) ("Karpus"). The rejection is respectfully traversed and reconsideration is respectfully requested.

Claim 19 recites a "telecommunication device comprising a telephony interface coupled to an enterprise telecommunication network." The telephony interface "receiving a telephone call from a wireless telephone and identifying a wireless telephone number of the wireless telephone, . . . using the wireless telephone number to retrieve a first enterprise telephone number associated with the enterprise telecommunication network and with the wireless telephone and to retrieve at least one user preference from a storage medium." The "telephony interface generating and sending a simulated dial tone to the wireless telephone to provide access to the enterprise telecommunication network based on said at least one user preference and at least one enterprise preference associated with said first enterprise telephone number." Applicant respectfully submits that the cited combination fails to disclose the claimed invention.

Claim 29 recites a "method of providing access to an enterprise telecommunication network from a wireless telephone." The method includes the steps of "receiving a telephone call from the wireless telephone; identifying a wireless

telephone number of the wireless telephone; using the wireless telephone number to retrieve an enterprise telephone number associated with the enterprise telecommunication network; generating a simulated dial tone; sending the simulated dial tone to the wireless telephone; providing telecommunication access to the enterprise telecommunication network based on at least one user preference and at least one enterprise preference associated with the retrieved enterprise telephone number."

Hartmaier fails to disclose a "telephony interface generating and sending a simulated dial tone to the wireless telephone to provide access to the enterprise telecommunication network based on said at least one user preference and at least one enterprise preference associated with said first enterprise telephone number." A simulated dial tone that provides "access" to an enterprise communication network is simply not disclosed anywhere in Hartmaier. Karpus fails to cure the deficiencies of Hartmaier.

Karpus by contrast discloses an interface system that connects various devices to a radio telephone and provides arbitration between conflicting requests for access to the audio channel of the telephone. Karpus is essentially an arbitration switch between devices and would not be used in the Hartmaier system. Karpus uses grant lines to communicate that access to the audio channel is available. In one possible alternative (not shown or enabled in Karpus), a dial tone is used to trick PCMCIA modems, cellular telephone, etc. into thinking that the audio channel has been granted. This is different than the claimed invention.

Accordingly, claims 19 and 29 are allowable over the cited combination. Claim 20, 22, 23 and 25 depend from claim 19 and are allowable along with claim 19.

Moreover, Applicant also respectfully submits that it is improper to combine the references in the manner suggested by the Office Action. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found in the references themselves. In re Fine, 837 F.2d 1071, 5 USPQ.2d 1596 (Fed. Cir. 1988). There is no suggestion or motivation in any of the references for combining them to arrive at the claimed invention. In fact, Hartmaier and Karpus are two entirely different systems. The Office Action is using impermissible hindsight by using the claims of the present invention as a road map to improperly combine the references. See Ex part Clapp, 227 U.S.P.Q. 972, 973 (Bd. App. 1985); M.P.E.P. §2144. This is another reason why the rejection should be withdrawn.

For at least the reasons set forth above, the rejection should be withdrawn and claims 19, 20, 22, 23, 25 and 29 allowed.

The rejection should be withdrawn and the claims allowed.

Claim 21 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Karpus, and further in view of Schwab et al. (U.S. Patent No. 6,597,781) ("Schwab"). The rejection is respectfully traversed and reconsideration is respectfully requested.

Claim 21 depends from claim 19 and is allowable along with claim 19 because neither Hartmaier nor Schwab, cited merely for the teaching of a dial tone timeout period, discloses, teaches or suggests a generating a simulated dial tone that provides access to an enterprise communication network. Accordingly, Applicant respectfully submits that the rejection should be withdrawn and claim 21 allowed.

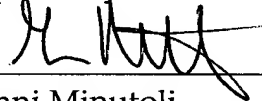
Claim 24 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Karpus, and further in view of Chow. The rejection is respectfully traversed and reconsideration is respectfully requested.

Claim 24 depends from claim 19 and is allowable along with claim 19 because neither Hartmaier nor Karpus, nor Chow teaches or suggests a generating a simulated dial tone that provides access to an enterprise communication network. Accordingly, Applicant respectfully submits that the rejection should be withdrawn and claim 24 allowed.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: August 16, 2005

Respectfully submitted,

By 

Gianni Minutoli

Registration No.: 41,198

DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant